THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No : 5006 of 2005

Dated 16th September, 2005.

Between:

Anthati Krishnaiah, S/o.Late Chinnaiah,

Aged about 36 years, Occ:Toddy Tapper,

R/o.Tripuranthakabatlapalli, Venkatagiri (M),

Nellore District.

And

The Commissioner, Prohibition and Excise,

Govt., of A.P., Hyderbad.

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 5006 of 2005

ORDER:

The writ petition is filed seeking a Mandamus declaring the action of the respondents in proceeding to postpone the election to be held on 12-3-2005 to the Toddy Tappers Co-Operative Society of Tripuranthakabatlapalli village, Venkatagiri Mandal, Nellore District, as illegal and arbitrary.

A detailed counter affidavit has been filed by the respondents stating that as the Collector and District Election Authority felt that due to absence of some of the members of the society in participating the elections on account of busy season, and as there is every possibility of occurring law and order problems effecting the peaceful and lawful conduct of elections, the elections could not be held, and therefore, under Section 22 (c) (i) of the A.P. Co-Operative Societies Act, the Collector and District Election Authority, Nellore postponed the elections till the completion of Toddy season and thus, all the members of the society can participate in the elections.

According to the petitioner, the Toddy season is from the month of May to June and there is no impediment for the respondents in conducting the elections.

Hence, the writ petition is disposed of directing the respondents to take affective steps for conducting the elections within two months from the date of receipt of a copy of this order. No costs.

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(K.C.BHANU, J)

Dated 16th September, 2005.

mrb